GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:1493
ANSWERED ON:03.05.2016
Compliance of Disaster Management Act
Dhruvanarayana Shri Rangaswamy;Paraste Shri Dalpat Singh;Patil Shri Bheemrao Baswanthrao

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government has taken cognizance of reports that suggested a lack of concerted effort by the States to comply with Section 12 of the National Disaster Management Act (NDMA), 2005 to provide essential services such as shelter, food, drinking water, medical cover and sanitation at relief camps for disaster victims;

(b) if so, the reasons behind non-compliance on the part of the States; and

(c) the steps being taken by the Union Government to ensure that the States complete the framing of guidelines under Section 12 of NDMA?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HARIBHAI PARATHIBHAI CHAUDHARY)

(a) to (c): Section 12 of The Disaster Management Act, 2005 provides that the National Disaster Management Authority (NDMA) shall recommend guidelines for the minimum standards of relief to be provided to persons affected by disaster, which shall include:-

(i) the minimum requirements to be provided in the relief camps in relation to shelter, food, drinking water, medical cover and sanitation;
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(ii) the special provisions to be made for widows and orphans;
(iii) ex gratia assistance on account of loss of life as also assistance on account of damage to houses and for restoration of means of livelihood;
(iv) such other relief as may be necessary.
NDMA has already formulated Guidelines on Minimum Standards of Relief for Food, Water, Sanitation, Medical Cover and Shelter to be provided to persons affected by a disaster and also on Special provisions to be made for Widows and Orphans and the same have already been circulated to the Chief Secretaries of all the States vide NDMA's Letter Dated 25/2/2016. In the said Letter, attention of the State Governments has been drawn to Section 19 of the DM Act, which provides that the State Disaster Management Authority (SDMA) shall lay down detailed guidelines for providing standards of relief to persons affected by disaster in the State, provided that such standards shall in no case be less than the minimum standards in the guidelines laid down by the NDMA in this regard.
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In the Writ Petition (c) NO. 444 of 2013 with Writ Petition (c) No. 823 of 2013 pending before the Hon'ble Supreme Court of India, the Court has issued an order on 26/2/2016 requiring the Chief Secretaries of each of the States in India to comply with the aforesaid letter dated 25/2/2016 of NDMA regarding framing of Minimum Standards of Relief.
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